

NORTHERN TERRITORY OF AUSTRALIA

Planning Act

**NOTICE OF MAKING OF AMENDMENT TO NT PLANNING SCHEME
AMENDMENT No. 434**

I, DAVID WILLIAM TOLLNER, Minister for Lands and Planning, under section 28(1) of the *Planning Act*, give notice that –

- (a) I have, under section 12(2)(a) of the Act, amended the NT Planning Scheme by amending subclause 5 of SD23 (Specific Use Zone Darwin No. 23) to clarify open space requirements in lieu of the minimum 6m x 6m dimensions that would otherwise be required by the table to clause 7.5 (Private Open Space).
- (b) copies of the amendment (Amendment No. 434) are available from the Offices of the Department of Lands, Planning and the Environment, Ground Floor, 16 Parap Road, Parap.

Dated

9/3

2016



Minister for Lands and Planning

NORTHERN TERRITORY OF AUSTRALIA

Planning Act

AMENDMENT TO NT PLANNING SCHEME

I, DAVID WILLIAM TOLLNER, Minister for Lands and Planning, under section 13(2)(a) of the *Planning Act*, amend the NT Planning Scheme by making the amendment, specified in the Schedule.

Dated

9/3/2016.



Minister for Lands and Planning

SCHEDULE

AMENDMENT TO NT PLANNING SCHEME

AMENDMENT No. 434

1. Citation

This amendment to the NT Planning Scheme may be cited as Amendment No. 434.

2. Amendment of subclause 5 of SD23 (Specific Use Zone Darwin No.23)

Omit:

Clause 5 of **SD23** (Specific Use Zone Darwin No. 23)

substitute:

5. Without **consent** a lot may be developed for the purpose of:

- (a) **dependant unit;**
- (b) display home;
- (c) **group home;**
- (d) **home based contracting;**
- (e) **home occupation;**
- (f) **single dwelling;**

if the development:

- i is consistent with the setback plan endorsed for the lot under paragraph 3 of this zone, and includes a breezeway along one side boundary of a width no less than 4.5 m;
- ii has no more than 16 m² of roofed area intruding into the breezeway;
- iii provides, in lieu of the minimum dimensions of private open space in Table to Clause 7.5 Private Open Space, a total area of private open space of no less than 130 m² and 'open to the sky'; and
- iv complies with all other requirements of the Planning Scheme as if the land were in Zone SD (Single Dwelling Residential).

If the development does not comply with the requirements in the paragraph above, it shall be permitted only with **consent** and the consent authority may **consent** only if it is satisfied that the special circumstances justify the giving of **consent**.

NORTHERN TERRITORY OF AUSTRALIA

Planning Act
Section 29

Reasons for Decision

NORTHERN TERRITORY PLANNING SCHEME
AMENDMENT No. 434

I have approved an amendment to the NT Planning Scheme to amend subclause 5 of **SD23** (Specific Use Zone Darwin No.23) to clarify open space requirements in lieu of the minimum 6m x 6m dimensions that would otherwise be required by the table to clause 7.5 (Private Open Space).

The proposed amendment will clarify private open space requirements and allow single dwellings to continue to be developed under **SD23** as a permitted use, provided that all other relevant provisions of the NT Planning Scheme are met.

I have decided to approve this amendment without public exhibition as the changes are minor and meet the intent of Clause 7.5.



DAVID WILLIAM TOLLNER
Minister for Lands and Planning

9 / 3 / 2016